

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ROCHE FREEDMAN LLP,

Plaintiff,

v.

JASON CYRULNIK,

Defendant.

**Case No. 1:21-cv-01746-JGK**

JASON CYRULNIK,

Counterclaim-Plaintiff,

v.

ROCHE FREEDMAN LLP, KYLE ROCHE,  
DEVIN FREEDMAN, AMOS FRIEDLAND,  
NATHAN HOLCOMB, and  
EDWARD NORMAND,

Counterclaim-Defendants.

**CYRULNIK'S NOTICE OF  
MOTION FOR SPOILIATION SANCTIONS**

**PLEASE TAKE NOTICE THAT**, upon the accompanying memorandum of law, the accompanying Omnibus Declaration of Marc E. Kasowitz, and upon all papers and proceedings herein, Defendant/Counterclaim-Plaintiff Jason Cyrulnik, by and through his undersigned counsel, hereby moves this Court, before the Honorable John G. Koeltl, at the United States District Court for the Southern District of New York, Courtroom 14A of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl St., New York, New York 10007, on such date and time as the Court determines, for an Order of spoliation sanctions.

Dated: February 27, 2024  
New York, New York

Respectfully submitted,

KASOWITZ BENSON TORRES LLP

By: /s/ Marc E. Kasowitz

Marc E. Kasowitz (mkasowitz@kasowitz.com)

Kevin A. Cyrulnik (kcyrulnik@kasowitz.com)

Gavin D. Schryver (gschryver@kasowitz.com)

1633 Broadway

New York, New York 10019

Tel.: (212) 506-1700

Fax: (212) 506-1800

*Attorneys for Defendant/Counterclaim-Plaintiff  
Jason Cyrulnik*

To: All counsel of record (via ECF)